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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

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**In re application of:** Koch, Robert A.

**Group Art Unit:** 2617

**Application No.** 10/717,892

**Examiner:** Desir

**Filed:** 20 November 2003

**Attorney Docket:** 02301 CON 2

**Title:** "System & Method for Providing Usage Monitoring Telephony Services"

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**37 C.F.R. § 1.8 CERTIFICATE OF TRANSMISSION**

I hereby certify that this correspondence is being electronically and/or facsimile transmitted to the United States Patent and Trademark Office.

Scott P. Zimmerman

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August 21, 2009

Date of Transmission

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**RESUBMISSION OF SECTION OF APPELLANT'S  
BRIEF IN SUPPORT OF APPEAL**

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Mail Stop: Appeal Brief — Patents  
Commissioner for Patents

The Assignee/Appellant hereby resubmits the "Status of Claims" section of the Brief in Support of Appeal. On July 24, 2009 the Office mailed a Notice of Non-Compliant Appeal Brief. This Notice says the "Status of Claims" section was incorrect for failing to identify canceled claim 4. A corrected section is herewith submitted.

## **STATUS OF CLAIMS**

Claims 1-3 and 5-19 are pending in this application. Claims 4 and 20 were previously canceled.

Claims 1 and 11 are independent claims.

Claims 1-3, 5-8, 10-14, 16, and 18-19 were finally rejected under 35 U.S.C. § 103 (a) as being unpatentable over U.S. Patent 6,775,546 to Fuller in view of U.S. Patent No. 6,356,756 to Koster and further in view of U.S. Patent 6,195,422 to Jones *et al.*

Claims 9, 15, and 17 were finally rejected under 35 U.S.C. § 103 (a) as being unpatentable over *Fuller* with *Koster* and *Jones* and further in view of U.S. Patent Application Publication 2003/0050100 to Dent.

The Appellant appeals the final rejection of claims 1-3 and 5-19.